



***Town of Weare
Conservation Commission
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Conservation Commission
Andy Fulton, Chairman
Andrea Alderman, Vice Chair
Tom Carr
Stephen Najjar
John Ciampi
Patricia Myers
George Malette
Paul Kosciuszek, Alternate

**CONSERVATION COMMISSION
MINUTES
MARCH 14, 2007
(Approved as amended 4/11/07)**

PRESENT: Andy Fulton, Chairman; John Ciampi; George Malette; Pat Myers

GUESTS: Mike Boyko, WOSC; Heleen Kurk; Fred Ventresco

I. CALL TO ORDER:

Chairman Andy Fulton called this meeting to order at 7:17 PM at the Weare Town Office Building.

II. PUBLIC HEARING:

TOWN FOREST LAND PURCHASE PUBLIC HEARING – OLIPHANT PROPERTY:

Chairman Andre Fulton called this public hearing to order at 7:18 PM. Present were Mike Boyko, Weare Open Space Committee (WOSC); Heleen Kurk and Fred Ventresco. Chairman Fulton explained that the purpose of this public hearing is to authorize expenditure from the Conservation Fund for the land purchase of the Oliphant conservation property which will be dedicated as Town Forest as a result of Town meeting's vote yesterday, which will have a conservation easement included on it. Mike Boyko stated that they are tentatively scheduled to have a closing on the property for Thursday, March 22. The Town needs to provide a check in the amount of \$290,000, which includes \$80,000 coming from the Town Forest account. The purchase price of the property is \$320,000. The \$30,000 difference is to come from the PWA. They have taken pledges from interested land owners in the area. In addition to the check for \$290,000 the Town needs to have another check to cover the recording fees, which he doesn't have the amount as of tonight. Mr. Boyko stated that he will be in contact with the closing company and then in touch with Ms. Pelletier with that amount. Mr. Boyko stated that he would like to see a member of the Conservation Commission attend the closing. Heleen Kurk suggested that the Commission might appoint Mr. Boyko to be the representative. Mr. Boyko stated that he was not sure if he could because he is not an appointed Conservation Commission member. Mrs. Kurk asked if Mr. Boyko was appointed to the WOSC by the Board of Selectmen or by the Conservation Commission. Mr. Boyko responded that he was appointed by the Conservation Commission. Mr. Boyko stated that the closing is scheduled for March 22 at the Registry of Deeds in Nashua, but he doesn't have a time yet. Chairman Fulton stated that he probably could be available if needed but would rather not if he is not needed. Pat Myers stated that she might be able to make arrangements to get away.

Chairman Fulton then asked if there was anyone present to speak on this public hearing. There was no one present to speak. Chairman Fulton closed the public hearing at 7:38 PM.

George Malette moved to authorize Pat Myers as the Conservation Commission representative in the absence of the Chairman or Vice Chairman for the signing of the deed at the closing for the Oliphant property; John Ciampi seconded the motion, all in favor.

Pat Myers moved to authorize the expenditure of up to \$210,100 from the Conservation Fund for the purpose of purchasing the Oliphant property for conservation purposes; John Ciampi seconded the motion, all in favor.

III. MINUTES:

FEBRUARY 15, 2007 MINUTES: George Malette moved to approve the February 15, 2007 minutes as amended, John Ciampi seconded the motion, all in favor.

IV. PLANNING BOARD ITEMS:

PROVIDE RECOMMENDATION TO PB REGARDING EASEMENT ON PROPOSED OPEN SPACE - HIGH ROCK DEVELOPMENT, TWIN BRIDGE ROAD, TAX MAP 110-077: George Malette stated that he heard at the end of the planning board meeting on March 8th that the main parcel with frontage on the lake was going to be maintained in private ownership. Chairman Fulton stated that one of the potential approaches they suggested was to try to clean up any easement difficulties, was that it be in private hands and not part of the open space and for Mr. Siciliano to look at finding some open space, south east of the swale along the back of the number of properties, which also include a portion of property that has frontage on Twin Bridge Road. There is a nice brook and wetlands down there. The board anticipated Mr. Siciliano coming back tonight with a new plan for them to look at, but that didn't happen and he didn't contact Chairman Fulton to get on the agenda. So if the information Mr. Malette heard was correct, then perhaps they are going in the direction the Commission had encouraged. At the February Conservation Commission meeting, Mr. Siciliano stated that he made no commitment for his client on that issue, but it sounds like he might have received the commission's suggestion with some positive action out of it. Mr. Malette stated that there were concerns from the residents about the fact that they have no protection. They were also concerned about water run off. There were minutes from PRLAC regarding this project. PRLAC wanted to see the whole project and not just the road design. PRLAC was going to urge DES to request an application identifying the ultimate development plan to avoid "piece-mealing" the impact review. The PRLAC comments regarding the road development were as follows: 1. Insure the use of native vegetation in reclaiming the disturbed areas. 2. Because of the proximity of Daniels Lake and disturbed wetlands, no sludge or biosolids-based topsoil is recommended to be used to reclaim disturbed area. Chairman Fulton stated that his concern is that perhaps the commission doesn't have a clear recommendation presented to the Planning Board specifically regarding the easement and

ownership of the open space and what our recommendation would be. Chairman Fulton believed the applicant was proposing an association ownership and then he doesn't believe they had proposed any other easement holders, or private organization that would hold the easement. Chairman Fulton stated that he would get something off in writing to Paul Morin, Planning Board Chairman saying that the commission is expecting to see another version of the subdivision plan and we haven't agreed to accept anything at this point.

V. WETLANDS BUREAU:

DES WETLANDS BUREAU FILE #2007-00227 – DONNA BENSON – NHDES CORRESPONDENCE DATED FEBRUARY 8, 2007 & FEBRUARY 22, 2007: The WCC received two letters of notification from the Wetlands Bureau regarding the application from Donna Benson. The first letter dated February 8, 2007 indicated the application was incomplete and the second letter dated February 22, 2007 was a notice of administrative completeness.

DES WETLANDS BUREAU FILE #2006-03002 – JAKE & JESSICA POTTER: The WCC received a letter of compliance indicating that the previous deficiencies have been corrected and the file will be closed.

DES WETLANDS BUREAU FILE #2006-003017 – DAVID WILUSZ: The WCC received a letter of deficiency as a result of an inspection on December 18, 2006. The letter gives specific actions that must be followed through on.

VI. OTHER ITEMS:

CHANGES TO THE NH NATURAL HERITAGE BUREAU ENVIRONMENTAL REVIEW PROCESS: This is an FYI that is sent to the Commission from the State of NH Department of Environmental Services. As of April 1, 2007 each DES wetlands dredge and fill application must be accompanied by documentation pertaining to rare species in the vicinity of the proposed project.

ECOLOGICAL INVENTORY AND ASSESSMENT FEE DUE: This is the first invoice for the work that the Nature Conservancy has started for the inventory.

MARCH 2007 CALENDAR OF OTHER BOARDS/COMMISSION MEETINGS: This is just the monthly calendar of meetings for all the boards/commissions for the month of March.

UNH COOPERATIVE EXTENSION – “LANDSCAPING AT THE WATER’S EDGE”: This is a two day course being held at the Lake Shore Farm Inn, Northwood, NH on March 27th & 28th. The fee for the course is \$125.00 if anyone had an interest to attend. It is an ecological approach to landscaping shore land property course.

COPY OF PSNH CHECK TO TOWN FOR \$100.00: This is a copy of a check from PSNH to the Conservation Commission.

SNHPC – CONSERVATION COMMISSION INSTITUTE MEETING: This is an invite to attend the region's first Conservation Commission Institute meeting that is to take place on Thursday, March 22nd from 6-9 PM. Participants include Conservation Commission members, SNHPC members, potential Board of Selectmen and Planning Board members.

PRLAC – AGENDA AND MINUTES FROM PAST MEETING: This is information that is shared with the Commission, which had some information regarding the High Rock Development cluster proposal in the Daniels Lake area.

POTENTIAL CONSERVATION LAND PURCHASE FROM LINDA HALL, LOT 401-077: The Commission is in discussion of a possible purchase of this conservation land that is located in the Chipmunk Falls area. The resident lives in South Carolina. The commission felt that they should take a site walk before an offer or motion. The Commission would like to be able to make a motion for the offer at the April meeting. Chairman Fulton volunteered to coordinate and contact Ms. Hall.

AUTHORIZATION OF UP TO \$1,000 TO RECORD A SURVEY FOR THE EASTMAN CONSERVATION AREA FROM THE CONSERVATION FUND: Pat Myers moved to authorization up to \$1,000 from the conservation fund to be used to record the survey of the Eastman Conservation Area that will allow Fish and Game to finalize their commitment to the Town for the project, John Ciampi seconded the motion, all in favor.

WCC MEMBER TERM EXTENSIONS – STEVE, ANDREA, PAT: These members terms are up in 2007 and will need to be recommended to the Board of Selectmen to be extended for another three year term if the members so choose.

ANNUAL MEETING NOTICE REGARDING ELECTIONS AND BY-LAWS – APRIL 11, 2007: Chairman Fulton stated that he did take a quick look at the by-laws and he didn't see any real issues. He would like for the rest of the board members to review to see if there are any issues. Chairman Fulton is suggesting this be taken up at the April meeting, which is considered the annual meeting.

ABIJAH BRIDGE ECOLOGICAL ENHANCEMENT STRUCTURE WETLANDS APPLICATION: Chairman Fulton informed the board that Steve Najjar has questions or concerns about a draw down of the marsh. The structure would keep this from happening anymore, which Mr. Najjar thought may eliminate some potential benefits to the marsh.

REQUEST TO FORWARD MINUTES TO MERRY AS SOON AS THEY ARE AVAILABLE: Chairman Fulton stated that there was a request from the Board of Selectmen that each board is being asked to forward their minutes to Merry to be shared to the Board in an effort for them to keep themselves up to date on what is happening.

WEBSITE PROPERTY INFORMATION NEEDED, SAWYER TRUST PROPERTY STATUS BEING CONSIDERED: Chairman Fulton stated that we have a hand full of properties that we will need to gather information to be able to put up on the website. Any member with information should gather it together. The Sawyer Trust Trustees have discussed the possibly of designating the property as Town conservation land.

NRI UPDATES: Andrea Alderman has been spearheading up this project and being that she was not present tonight this discussion will be taken up at the April meeting.

BRIAN E. JOHNSEN, LICENSED CONSULTING FORESTER TO ATTEND APRIL MEETING: John Ciampi informed the board that Brian Johnsen is interested in being the forester for the Eastman Conservation as well as for the other properties. Mr. Johnsen is willing to come to make a presentation to the board at the April meeting.

MOOSE PLATE FUNDS: John Ciampi informed the board that the Town of Landaff got a grant from the funds of the moose plates. They were granted \$5,000 from the fund for the Natural Resource Inventory. The Conservation Commission thought this would be worth while looking into.

TOWN VOTE UPDATE: Chairman Fulton went through the results of the warrant articles that might have an impact on the Conservation Commission as a result from yesterday's Town meeting.

VII. ADJOURNMENT:

As there was no further business to come before the board, John Ciampi moved to adjourn at 9:27 PM, Pat Myers seconded the motion, all in favor.

Respectfully submitted,

Naomi L. Bolton
Transcribed from tapes